

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Darren Stribling,

Plaintiff,

Case No. 20-12990

v.

Judith E. Levy

United States District Judge

Heidi Washington, *et al.*,

Mag. Judge Curtis Ivy, Jr.

Defendants.

_____/

ORDER ADOPTING REPORT AND RECOMMENDATION [29]

Before the Court is Magistrate Judge Curtis Ivy, Jr.'s Report and Recommendation recommending the Court deny Defendant's motion for summary judgment (ECF No. 22). (ECF No. 29.) The parties were required to file specific written objections, if any, within 14 days of service. Fed. R. Civ. P. 72(b)(2); E.D. Mich. L.R. 72.1(d). No objections were filed. The Court has nevertheless carefully reviewed the Report and Recommendation and concurs in the reasoning and result. Accordingly,

The Report and Recommendation (ECF No. 29) is ADOPTED;¹

Defendant's motion for summary judgment (ECF No. 22) is
DENIED.²

IT IS SO ORDERED.

Dated: December 22, 2021
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on December 22, 2021.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager

¹ By failing to object to the Report and Recommendation, the parties have forfeited any further right of appeal. *United States v. Wandahsega*, 924 F.3d 868, 878 (6th Cir. 2019); *see also Berkshire v. Beauvais*, 928 F.3d 520, 530 (6th Cir. 2019).

² "Unless a different time is set by local rule or the court orders otherwise, a party may file a motion for summary judgment at any time until 30 days after the close of all discovery." Fed. R. Civ. P. 56(b). However, under Eastern District of Michigan Local Rule 7.1(b)(2), "[a] party must obtain leave of court to file more than one motion for summary judgment." E.D. Mich. LR 7.1(b)(2). The Court notes this requirement for Defendants in the event Defendants wish to file a subsequent motion for summary judgment.